

PINK BOLLWORM REGULATIONS

This circular contains the regulations of the Arkansas State Plant Board which are effective on and after November 10, 1972. Address communications to Head, Pink Bollworm Section of Plant Industry Division, State Plant Board, Box 1069, Little Rock, or to State Plant Health Director, USDA-APHIS-PPQ, 1200 Cherry Brook Drive, Suite 100, Little Rock, Arkansas 72211.

PINK BOLLWORM REGULATIONS

Made under authority of Sections 77-101 to 77-128, Ark. Stats. 1947.

SECTION I - DEFINITIONS

For the purpose of these regulations the following words, names, and terms shall be construed respectively to mean:

- (a) **Pink Bollworm** - The Pink Bollworm of cotton (***Pectinophora gossypiella* Saunders**) in any state of development.
- (b) **Cotton** - All parts of cotton and cotton plants of the genus *Gossypium*, except cotton products.
- (c) **Cotton Products** - Seed cotton, cotton lint, linters, and all other forms of unmanufactured cotton fiber, oil mill waste, gin waste, gin trash, cotton seed, cottonseed hulls, cottonseed cake, and cottonseed meals.
- (d) **Seed Cotton** - All forms of cotton lint from which the seed has not been separated.
- (e) **Lint** - All forms of raw ginned cotton except linters and waste.
- (f) **Linters** - All forms of unmanufactured cotton fiber separated from cottonseed after the lint has been removed.
- (g) **Gin Waste** - All forms of unmanufactured cotton fiber (including gin motes) produced at cotton gins, other than baled cotton **lint**.
- (H) **Oil Mill Waste** - Lint waste products derived from the milling of cottonseed.
- (i) **Gin Trash** - All of the waste material produced during the cleaning and ginning of cotton.
- (j) **Okra (*Hibiscus esculentus*)** - All parts of okra plants, including seeds and edible and dry pods.
- (k) **Kenaf (*Hibiscus cannabinus* L.)** - All parts of kenaf plants, including seeds and pods.
- (l) **Restricted Articles** - Products and articles that may move under the restrictions in this quarantine.
- (m) **Approved or Designated** - Officially sanctioned by the Arkansas State Plant Board and/or USDA.
- (n) **Certificate** - An approved document issued by an inspector, evidencing apparent freedom of restricted articles from pink bollworm.
- (o) **Limited Permit** - An approved document issued by an inspector to allow movement of non-certified, restricted articles to or from authorized and designated gins, oil mills, or processing or manufacturing plants.
- (p) **Infestation (Infested)** - The presence of the pink bollworm. ("Infested" shall be construed accordingly.)
- (q) **Moved (Movement and Move)** - Shipped, offered for shipment to a common carrier, received for transportation or transported by common carrier, or carried, transported, moved,

- or allowed to be moved by any person within or from any regulated area.
- (r) **Inspector** - An authorized inspector of the Arkansas State Plant Board or USDA's Plant Protection Division.
 - (s) **Compliance - Agreement** - An approved document issued jointly or severally by USDA's Plant Protection Division and the State Plant Board to persons engaged in ginning, processing, or handling restricted articles for subsequent movement from regulated areas, or to persons moving restricted articles from regulated areas.

SECTION II

The state is hereby divided into 2 areas -- Area A and Area B.

Area A consists of all counties or parts of counties in which the pink bollworm has been found or in which it is suspected of being present because of proximity thereto.

Area B consists of remainder of state. For boundary lines of Area A and Area B see map on page 5 and 6.

SECTION III - REGULATIONS APPLYING THROUGHOUT THE STATE - ON BOTH AREA A AND AREA B

The owners of the land on which the cotton is grown, the operators, and the tenants are jointly and severally responsible for compliance with this section.

1. Cotton Fields - Deadline for Stalk Destruction; Clean-up of Seed Cotton Storage Areas and Handling Equipment. All cotton fields must be treated in a manner that will bury or destroy all cotton bolls and locks by April 15 of each year. All seed cotton storage areas including handling and harvesting equipment must be cleaned of all bolls and locks and these bolls and locks must be treated in a manner that will either bury or destroy them. Any untreated seed cotton to be held over on farms must be fumigated under the supervision of the Plant Board or USDA.

Should any fields, storage areas, handling or harvesting equipment be found not in compliance by the April 15 deadline, the Director may cause the destruction of all bolls and locks of cotton, the expense thereof to be charged against the owner, custodian, or occupant, as provided by law.

2. Fields or Farms Infested, or Believed to be Infested. If pink bollworm is found in a field or on a farm, or if on inspection of gin trash or other inspection, it appears probable that a field or farm is infested, said field or farm must be sprayed, dusted, or otherwise treated in any manner which the chief inspector may direct, cost of any treatment other than that required in par. 1 to be at public expense unless other arrangements can be made.

3. Gins. The owners, and if leased, the lessees, are responsible for compliance with the following: All gins, before starting to gin, must secure a compliance-agreement, issued on the following conditions, agreements to expire June 30 of each year, unless extended by mutual agreement. Agreements may be refused to gins which failed to comply with all regulations the previous season.

- a. Gins must close at midnight February 5, and no cotton may be ginned thereafter, except by special permission. Gin must be thoroughly cleaned before midnight Feb. 15, and any remaining seed cotton or refuse must be burned or otherwise destroyed or fumigated before midnight Feb. 15, except by written permission. Inspection will be made to verify.

- b. All gin trash must be put thru an approved fan to kill worms, or it must be burned daily in an enclosure with sides high enough to insure that all trash is caught therein..
- c. The Board will each year list any owners, operators, or tenants who have failed to meet the stalk destruction or other requirements thru reasons other than extreme hardship, and at the beginning of the ginning season will send such lists to all gins. Ginners are prohibited from ginning cotton from persons whose names appear on said lists, until said persons present to the ginner a written release from the Plant Board or USDA to be given only after adequate assurance has been given by said persons to the Board that the Board's regulations will thereafter be complied with. Ginning for said persons without said release is grounds for cancellation of gin's compliance- agreement by USDA or Plant Board.
- d. Gins must at all time make their records available to inspectors on request. They must keep a record of all cotton received and ginned and all cottonseed handled. Gin records must show for each bale of seed, whether it was sent to oil mill or saved.
- e. Apparatus and arrangements specified in a and c must have been in inspected and approved after installation.
- f. Gins must agree to observe all regulations of Plant Board and USDA, pertaining to pink bollworm.
- g. Gins must agree to permit inspection of premises at any time.
- h. Gins must not gin cotton from Texas, Oklahoma, New Mexico, Arizona, or infested areas of Louisiana and California, except by written permission of the Plant Board.

4. Processing Plants. The owners, operators, and if leased, the lessees will be jointly and severally responsible for compliance with the following:

- a. Cotton, warehouses, compresses, oil mills, cleaning plants, delinting plants and other necessary plants must obtain a compliance-agreement before accepting cotton seed or cotton. Agreements expire June 30. Applicant must agree in writing to comply with all regulations, including such regulations as require treatment of cotton products and by products by an approved method prior to movement within the state.
- b. All records must be made available to inspectors on request. Records must be maintained of all products received, treated, handled, or processed. All products received must be such as are authorized by regulations, and must be handled in accordance with such regulations.
- c. Entire plant and premises must be kept in such sanitary condition as to prevent contamination of products eligible for certificate. All trucks, cars, and other conveyances must be thoroughly cleaned, immediately following unloading of untreated products, and prior to loading out certified products.
- d. Cotton warehouses, compresses, oil mills, and other processing plants must not receive regulated products (such as cotton and cotton seed) from gins unless the gin has a valid compliance-agreement.

5. Okra. Commercial plantings of okra is placed in the same category as cotton with regard to stalk destruction and plowing under the residue.

SECTION IV - REGULATIONS APPLYING ONLY TO AREA A **(See also Sec. III - Regulations Applying to both Areas A and B)**

1. Ginning - All cotton produced on farms in Area A must be ginned at gins in Area A, or at designated gins in close proximity. Designated gins in Area B must comply with regulations applied to gins in Area A. If a cotton field lies on both sides of or bordering the quarantine line, the cotton from the entire field may be ginned in Area B, if there is no special reason to suspect the presence of the pink bollworm in or near the field.

2. Movement of cottonseed from Area A to Area B is prohibited, unless it has been heat-treated or fumigated or is moving to a designated mill for crushing. In either case, USDA or Plant Board permit must accompany each load.

3. Seed Not For Crushing. Seed not moved to a designated oil mill for crushing purposes must be either heat-treated or fumigated, or upon special permission from Plant Board and PPD of USDA, seed may be returned to farm of origin without treatment for planting purposes only, provided seed will be held until a designated date, and provided further that no pink bollworm infestation is found in the area concerned during the current survey. If a pink bollworm infestation is found during the current survey in the area concerned, all of this seed must be returned to a designated location to be either heat-treated or fumigated. Any seed required to be heat-treated or fumigated must be under the supervision of an inspector, and costs for required treatment shall be borne by ginner or owner of seed.

Prior arrangements shall be made in advance of such treatment. Cottonseed may be fumigated only after such seed is sacked, or bulk lots of seed may be loaded into a suitable container (trailer) containing the necessary circulatory system for adequate dispersal of fumigant.

4. Movement from Area A into Area B of any material which might carry pink bollworms is prohibited. This includes seed cotton and cottonseed (unless under permit), cotton bolls, cotton locks, and cotton refuse; and pick sacks, used gin or harvesting machinery, trucks, trailers, and any other vehicles used to carry cottonseed or seed cotton unless cleaned of all cottonseed, bolls, locks, seed cotton and cotton refuse.

5. Mechanical pickers must be fumigated under supervision of inspectors and accompanied by permit before moving from Area A to area B.

6. Live pink bollworms, grabbots unbaled gin waste, and unbaled oil mill waste. Movement is prohibited from area A to area B. Samples of lint and linters weighing not more than 1 ½ lbs. each. - Movement from Area A is not restricted, if produced in a plant holding compliance-agreement and subsequently protected from contamination.

7. Baled or unbaled lint and baled or unbaled linters. These may be moved from Area A, only under permit or certificate to designated compresses for standard or high density compression. They may be moved in Area A without permit. Also, flat baled lint cotton or flat baled lint cleaner waste produced at an approved gin where lint has passed through one or more saw type lint cleaners, and linters produced at any approved oil mill are eligible to move to any destination when kept free from contamination and identity of each bale is maintained by affixing a sticky-back certificate to the middle tie on one of the narrow sides of the bale (furnished by USDA). **Baled gin waste** may move only as follows: under limited permit, from the gin where produced to a designated plant and after approved treatment it may be certified for movement to any destination.

8. Seed, etc. from infested States, unsterilized cottonseed, seed cotton, bolls, locks, hulls, and any article contaminated therewith, which is brought in from Texas, Oklahoma, New Mexico, Arizona, or infested areas of Louisiana, Nevada and California, is subject to seizure or sterilization on arrival in Arkansas, if not certified to specific designated processing plants or in the area on or west of Highway 71.

9. Oil Mill. Deadline. Cottonseed from Area A sent to designated oil mills must be

processed and mill's premises cleaned-up by June 1. Cottonseed to be held after June 1 shall be either heat-treated or fumigated by the June 1 deadline. Exception: Cottonseed from Area A received at designated oil mills may be processed continuously without treatment, provided no moths are recovered from lure traps located in oil mill storage areas. If a moth is trapped in April or May, the June 1 deadline would apply. If none are trapped in April or May, the mill may continue processing and the deadline will be August 31 unless a moth is trapped. If a moth is trapped immediate treatment will be required of all seed on hand.

10. Okra, Kenaf, and any other plants subject to infestation, may be moved anywhere without permit unless they have been determined to be infested, in which case they may be given approved treatment and moved under certificate. Okra from infested areas in other states is subject to seizure and/or treatment.

SECTION V - ARTICLES ORIGINATING IN AREA B IF MOVED TO AREA A AND BACK TO AREA B

Articles originating in Area B may be moved from Area A under certification without processing, treatment, or sterilization if, while in Area A, the products have been handled and stored in such a manner as to maintain identity and prevent contamination with other regulated articles originating in Area A, except that cottonseed and other cotton products which are not readily identifiable as to origin and are subject to contamination while within Area A must meet requirements equivalent to those prescribed for similar products originating within Area A in order to move from Area A.

SECTION VI - CANCELLATION OF CERTIFICATES AND PERMITS

Any certificate or permit may be canceled by the Plant Board for violation of these regulations, or when in the judgment of the Board further use of such certificates or permits might result in dissemination of the pink bollworm.

SECTION VII - MARKING AND LABELING REQUIREMENTS

To obtain certificates or permits under these regulations, application should be made either to the local inspector or to the State Plant Board, Little Rock, or to the Plant Protection Division, USDA, Little Rock. Certificates or permits required under these regulations shall be securely attached to the outside of each bag or other container of restricted articles, except that in the case of restricted articles shipped in bulk, the certificates or permits shall be securely attached to the waybills or other shipping papers which accompany the shipment, and in the case of other restricted articles shipped without container they shall be securely attached to the articles themselves. When moved, each container of restricted articles, or the restricted article itself when shipped without a container, shall also bear such markings and labeling as may be necessary, in the judgment of the inspector, to identify the material.

SECTION VIII - SHIPMENTS FOR SCIENTIFIC PURPOSES

Live pink bollworms in any stage of development and products or articles subject to the requirements of these regulations may be moved under permit only for scientific purposes.

SECTION IX - VIOLATIONS

Any person, firm or corporation found guilty of violating this quarantine and these regulations is subject to the penalties provided by Secs. 77-101 to 77-128, Ark. Stats. of 1947.

SECTION X - CHARGES FOR SPECIAL INSPECTIONS

When a gin is found on inspection not to have complied with regulations and a special inspection is required on that or other account, an inspection fee of \$15 shall be charged for each special inspection. (**Example of special inspection.** If inspection shows that gin has not been satisfactorily cleaned by Feb. 15, in accordance with regulations, then **additional** inspections made thereafter, to verify cleaning are "special inspections," and charge will be \$15 for each.)

SECTION XI - SPECIAL AGREEMENT NECESSARY TO GIN FROM AREA A

Gins in Area B must not receive seed cotton from Area A unless the compliance-agreement under which they operate specifically authorizes them to do so.

SECTION XII - CONVEYANCES HAULING BULK COTTONSEED - RESPONSIBILITY FOR COMPLIANCE

All conveyances hauling bulk cottonseed must be of such construction and the load so covered as to prevent scattering of cottonseed, and the gin or other processing plant from which the seed is hauled, the driver of the conveyance, and the transporter are jointly and severally responsible for compliance.